

cut off from unemployment insurance early next year if Congress doesn't act now.

And if partisan politics is not to blame, I am not sure what else the issue could be as Congress has never allowed emergency unemployment benefits to expire when the unemployment rate is anywhere close to its current level of 9.1 percent.

THE IMPACT ON AMERICANS POISON PILLS IN H.R. 3630

The reforms to unemployment and other provisions that we sent over to the Senate, sweeping as they were, may have been lost amid other features of the Republican package.

#### DRUG TESTING

Under current law, states are not allowed to deny workers unemployment insurance for reasons other than on-the-job misconduct, fraud or earning too much money from part-time work. H.R. 3630 would have allowed states to screen those who applied for unemployment benefits for illegal drugs. The drug testing requirement in H.R. 3630 is burdensome and onerous.

Unemployment is at its highest in twenty-five years, the economy is in a downward spiral, millions of people are just getting by and the Republicans want to further degrade them.

A worker advocacy group recently described the drug testing element in the House-passed bill, the "most disturbing" part of the Republican unemployment reforms. "Devising new ways to insult the unemployed only distracts from the current debate over how to best restore the nation's economy to strong footing and the discussion over how to best support the unemployed and get them back to work"

No evidence has been presented that the drug testing requirement is necessary because there is no evidence to support that the average person who applies for unemployment insurance is an illegal drug user. The inference that those who need this benefit must be screened for drugs is offensive. Hardworking Americans are depending on a benefit they worked to attain. The Senate amendment to H.R. 3630 removes this offensive provision.

#### GED/HIGH SCHOOL DIPLOMA REQUIREMENT

In addition, the Senate amendment does not blame the unemployed for being unemployed. By this I mean, the version of H.R. 3630 which passed the House would deny unemployment benefits to individuals who did not have or were not attempting to attain a high school diploma or a GED.

As supported by House Republicans, H.R. 3630 denies unemployment insurance benefits to the most vulnerable workers, those without a high school diploma or GEDs, if they can't demonstrate they are enrolled in a program leading to a credential.

It is true that workers with less than a high school diploma are unemployed at significantly higher rates than workers with a bachelor's degree (13.2 percent v. 4.4 percent). I understand the rationale behind wanting to advance the skills of our nation's work force.

Frankly, the hardships faced by those who have not attained a GED or high school diploma are indisputable. The labor force participation rate for persons without a high school diploma is 20 percentages points lower than the labor force participation rate for high school graduates. Further, approximately 70 percent of all students graduate from high school, but African-American and Hispanic students have a 55 percent or less chance of graduating from high school.

If this measure had passed as written, without the Senate Amendment, African-Americans and Hispanics who are already the hardest hit by this economic downturn will now lose access to unemployment benefits at a greater rate, solely based upon their educational attainment. This is not fair.

Only 52 percent of students in the 50 largest cities in the United States graduate from high school. That rate is below the national high school graduation rate of 70 percent, and also falls short of the 60-percent average for urban districts across the Nation. Over his or her lifetime, a high school dropout earns, on average, about \$260,000 less than a high school graduate, and about \$1 million less than a college graduate.

I vehemently disagree with how H.R. 3630 chooses to address increasing the skills of our workforce. I do not believe we should blame those who for a variety of reasons were not able to attain a high school diploma or GED.

We should not punish them by excluding them from benefits that they have earned. We should be focused on programs to encourage and retrain our workforce. Programs like those offered by organizations like the National Urban League.

#### MEDICAID

My colleagues on the other side in H.R. 3630 singled out Medicare premium increases that would have permanently increased seniors' costs by \$31 billion. The Senate Amendment addresses the Medicare Sustainable Growth Rate, SGR, extending physician payment rates and preventing a 27.4 percent cut through February 29th; and it addresses Medicare and Medicaid Extenders policies through February 29th as well. It also includes a simple extension of TANF through February 29th.

If we do not pass the Senate version of H.R. 3630 this would result in significant changes to Medicaid, threatening healthcare resources for the 60 million people, half of them children that rely on this program to stay healthy.

A block grant for funding or a cap on federal Medicaid spending would increase the cost for states and the low income families who benefit from the program.

Harris County has one of the highest Medicaid enrollment records in Texas. Limits and cuts to Medicaid funds would significantly hurt the citizens of Texas' 18th District. Harris County averages between 500,000 and 600,000 Medicaid recipients monthly, thousands of people who may not have access to healthcare under this budget.

These cuts would hurt the doctors trying to serve soldiers and their families. Just the other day, I was visiting a hospital in Riverside. The doctors and staff were committed to the care of veterans and their families, many of who were suffering from PTSD. The quality of their care could be jeopardized without the "Doc Fix" which would prevent a significant decrease in doctor reimbursements from Medicare and will impact TRICARE as well.

Currently, the Center for Medicare & Medicaid Services has announced plans to delay processing of physician claims in the hope a fix will soon be enacted, they can only do so until January 17 when they will have to start paying at lower rates with a 27-percent cut. January 17 is the very day the House convenes for the 2nd session of the 112th Congress, which means there will be no opportunity for Congress to pass a fix before the cut kicks in.

If my colleagues on the other side of the aisle continue to block a short term extension, the following will take place: 650,000 physicians and practitioners would see payment delays and a 27-percent cut in payments when payments are made; Over 800 rural hospitals would lose eligibility for "hold harmless" payments that help cover the cost of outpatient hospital services and roughly 90 hospitals would receive payments that do not reflect the competitive wage environment in which they operate; Physical therapists, occupational therapists and speech language pathologists would no longer be allowed to use an exceptions process that protects seriously injured patients from hitting an arbitrary dollar cap on therapy services and halting their access to needed care later in the year; Over half a million (520,000) low-income Medicare beneficiaries would no longer receive financial assistance with their Medicare premiums.

This is an untenable situation to place our veterans, soldiers, their families, and millions of other Americans who rely upon Medicare and the doctors who provided that care.

Again, I want to emphasize that if there is a single federal program that is absolutely critical to people in communities all across this nation at this time, it would be unemployment compensation benefits. Unemployed Americans must have a means to subsist, while continuing to look for work that in many parts of the country is just not there. Families have to feed children.

Personal and family savings have been exhausted and 401(k)s have been tapped, leaving many individuals and families desperate for some type of assistance until the economy improves and additional jobs are created. The extension of unemployment benefits for the long-term unemployed is an emergency. You do not play with people's lives when there is an emergency. We are in a crisis. Just ask someone who has been unemployed and looking for work, and they will tell you the same.

I am committed to producing tangible results in suffering communities through legislation that creates jobs, fosters minority business opportunities, and builds a foundation for the future. We cannot now, or ever, allow partisan politics to keep us from addressing the needs of American families, the unemployed and seniors. I encourage my colleagues on the other side of the aisle to drop these harmful policy riders and support the "Temporary Payroll Tax Cut Continuation Act of 2011."

MOTION TO GO TO CONFERENCE  
ON H.R. 3630, MIDDLE CLASS TAX  
RELIEF AND JOB CREATION ACT  
OF 2011

SPEECH OF

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, December 20, 2011*

Mr. VAN HOLLEN. Mr. Speaker, first my Republican colleagues opposed extending the current payroll tax cut for the middle class. Then they decided they would support it after all—but they objected to asking millionaires help pay for it and insisted that a completely unrelated and controversial project called the Keystone XL pipeline be included in the final package.

Now, by a lopsided vote of 89–10, the Senate has sent the House a short term measure negotiated by Democratic Leader REID and Republican Leader MCCONNELL to prevent taxes from going up on 160 million Americans next year, offset with a provision both parties can support—with an accelerated decision on the Keystone XL pipeline due in sixty days.

So what are the House Republicans doing? Trying to kill the bipartisan Senate bill. In fact, they won't even allow a straight up or down vote on it—because if they did, they know it would pass.

Americans need look no further than this reckless year-end gambit by the extreme right wing of the Republican Party to understand why their government has ceased to function.

Like President Obama and virtually every Democrat in this House, I would rather be voting on a year-long extension for the current payroll tax cut, unemployment insurance for

those who remain out of work through no fault of their own, and reasonable compensation for physicians who participate in the Medicare program. Additionally, I would prefer a balanced approach to paying for these measures—and I oppose mandating a precipitous decision on the controversial Keystone XL pipeline.

But in order to ensure 160 million Americans don't see a tax increase on January 1, and to give negotiators more time to reach final agreement on a fully paid-for year-long package, I am prepared to support the Senate's bipartisan short term extension.

Mr. Speaker, Senate Democrats have approved this legislation. Senate Republicans have approved this legislation. And House Democrats are prepared to approve this legislation. If House Republicans block it, they will have to explain to the American people why rigid ideology was more important than helping

create more jobs and boosting our fragile economy.

---

PERSONAL EXPLANATION

**HON. ADAM SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 23, 2011*

Mr. SMITH of Washington. Mr. Speaker, on Tuesday, December 20, 2011, I was unable to be present for a series of recorded votes. I request the record show that had I been present, I would have voted: “no” on rollcall vote No. 947 (on the motion to table H. Res. 504), “yes” on rollcall vote No. 831 (on the motion to instruct conferees on H.R. 3630), and “no” on rollcall vote No. 832 (on agreeing to H. Res. 501).